

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Centerville School
1124 DeWitt Avenue
Sanger, CA 93657

Water System No. 1000104

Attn: Kent Russell

CITATION NO. 03-23-16C-038

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE 22,
SECTION 64426.1 (b) (2) - TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL**

June 2016

Issued on September 27, 2016

The State Water Resources Control Board (hereinafter “Board”), acting by and through its Division of Drinking Water (hereinafter “Division”) and the Deputy Director for the Division (hereinafter “Deputy Director”), hereby issues this citation (hereinafter “Citation”) pursuant to Section 116650 of the California Health and Safety Code (hereinafter “CHSC”) to the Centerville School Water System (hereinafter, “Water System”) (mailing address: 1124 DeWitt Avenue, Sanger, CA 93657) for violation of California Code of Regulations (CCR), Title 22, Section 64426.1 subsections (b)(2).

APPLICABLE AUTHORITIES

Section 116650 of California Health and Safety Code provides:

(a) If the Division determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the Division may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is

directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The Division may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

California Code of Regulations, Title 22, Section 64426.1, subsections (a) and (b) provide, in relevant part:

§64426.1. Total Coliform Maximum Contaminant Level (MCL).

(a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the Division or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in §64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.

(b) A public water system is in violation of the total coliform MCL when any of the following occurs:

(1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or

(2) For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive

Revised Total Coliform Rule

Beginning April 1, 2016, all public water systems need to comply with California's existing Total Coliform Rule (TCR) as well as the new requirements in the federal Revised Total Coliform Rule (rTCR), until California can complete the regulatory adoption process for the rTCR. Under the Federal rTCR, a water system which exceeds the current Total Coliform MCL must also conduct a Level 1 Assessment. The completed assessment must be submitted to our office within 30 days of the exceedance.

STATEMENT OF FACTS

Division is informed and believes that the Water System is a non-transient non-community water system serving a school with a population of approximately two hundred eighty (280) people through three (3) service connections. The Water System is operated under Water Supply Permit No. 03-23-12P-011, issued by the Division on June 5, 2012.

Violation of the Total Coliform Rule Maximum Contaminant Level

The Water System is required to collect a minimum of one (1) distribution system bacteriological sample per month. The bacteriological water analysis results submitted by the Water System reported the presence of total coliform bacteria in five (5) of nine (9) samples collected during June 2016 (including Well 01). None of the positive samples showed the presence of fecal coliform or *E. coli* bacteria.

The following table summarizes the bacteriological monitoring conducted during the months of May, June, July, August and September of 2016.

Collection Date	Number of Samples	Sample Labeled	Number TC positive	Number E. Coli positive
5/11/16	1	Routine	1	0
5/13/16	4	Repeat (including well)	1(well only)	0
6/15/2016	5	Routine (including well)	4 (including well)	0
6/28/2016	3	Repeat (distribution with CL ₂ resid 0.24-0.39 ppm)	1	0
6/30/16	1	Routine (distribution with CL ₂ resid 0.83 ppm)	0	0
7/11/2016	5	Routine (distribution with CL ₂ resid 0.48-0.76 ppm)	0	0
8/3/2016	4	Routine (distribution with CL ₂ resid 1.28-1.34 ppm)	0	0
8/11/2016	5	Well Cycle Test	0	0

8/25/2016	5	Well Cycle Test	0	0
9/8/2016	1	Routine (distribution w/o CL ₂)	0	0

Due to the above-mentioned total coliform positive samples, the Water System has failed the total coliform MCL for the month of June 2016. Temporary continuous disinfection was installed again in June 2016 and remained in place until two well cycle tests conducted in August 2016 demonstrated that the well was free of coliform bacteria. The Groundwater Rule adopted by the Division, effective August 18, 2011, requires the collection of a sample for bacteriological evaluation from wells serving the system in response to a coliform positive distribution sample. This requirement was met in during the routine follow up sampling event conducted on June 15, 2016. A Level 1 Assessment Form was completed (Attachment D) on June 20, 2016 by the water system's certified operator. The source of contamination is believed to be the well. The well's pump was replaced in December 2015, and demonstrated ongoing contamination until August of 2016.

DETERMINATION

Based on the above Statement of Facts, the Division has determined that the Centerville School Water System has failed to comply with Section 116555(a)(1) of the CHSC and Section 64426.1(b)(2) of Title 22, California Code of Regulations (CCR). The Water System has failed to comply with the total coliform Maximum Contaminant Level (MCL) for the month of June 2016.

NOTIFICATION REQUIREMENTS

Title 22, CCR, Section 64426.1(c) requires a public water system to notify the Division and the consumers of the water system, when a violation of Section 64426.1(b)(1) through (4) occurs. Notification to the Division shall be by the end of the business day on which the violation has been determined. If the Division is closed, notification shall be within 24 hours

of the determination. The Division was not notified in accordance with the above-referenced section.

A Tier 2 Public Notice for violation of paragraph 64426.1(b) (2) shall be given pursuant to Section 64463.4 and 64465. The Tier 2 Public Notice shall include the mandatory health effects language from Appendix 64465-A for a total coliform MCL failure.

Section 64463.4 allows non-transient non-community water systems to give public notice by posting the notice in conspicuous locations throughout the area served by the water system and by the use of one or more of the following methods in order to reach persons not likely to be reached by a public posting: publication in a local newspaper or newsletter distributed to customers, e-mailing the public notice to water system customers, post the public notice on the internet, or by delivery to each customer.

The appropriate Tier 2 notification template is provided here as Attachment B. The Water System shall post the public notice provided as Attachment B in conspicuous locations within the water system and shall deliver the public notice directly to each student and employee.

Section 116450(g) requires that upon receipt of notification from a public water system, schools must notify school employees, students, and parents (if the students are minors), residential rental property owners or managers (including nursing homes and care facilities) must notify their tenants and business property owners, managers or operators must notify employees of businesses located on the property.

Proof of notification is required. The Water System shall complete Attachment C and return it to the Division by **October 31, 2016**.

135 **DIRECTIVES**

136 The Water System is hereby directed to take the following actions:
137

- 138 1. By **October 15, 2016**, the Centerville School water system shall provide public
139 notification of the total coliform Maximum Contaminant Level failure in June 2016 by
140 posting of the public notice provided as Attachment B in conspicuous places throughout
141 the general service area and by direct delivery to each student.
142

143 By **October 31, 2016**, the Water System shall provide proof of notification of the total
144 coliform MCL violation notification to each consumer by completing and returning

145 Attachment C to:

146
147 Betsy S. Lichti, Senior Sanitary Engineer
148 State Water Resources Control Board
149 Division of Drinking Water
150 265 W. Bullard Avenue, Suite 101
151 Fresno, CA 93704
152

153
154 **PARTIES BOUND**

155 This Citation shall apply to and be binding upon Centerville School Water System, its
156 officers, directors, shareholders, agents, employees, contractors, successors, and
157 assignees.
158

159 **SEVERABILITY**

160 The Directives of this Citation are severable, and Centerville School Water System shall
161 comply with each and every provision thereof, notwithstanding the effectiveness of any other
162 provision.
163

164 **FURTHER ENFORCEMENT ACTION**

165 The California SDWA authorizes the Division to: issue citation with assessment of
166 administrative penalties to a public water system for violation or continued violation of the

requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Division to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Division; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with violates an order of the Division. The Division does not waive any further enforcement action by issuance of this citation.

Date

Betsy S. Lichti, P.E.,
District Engineer
Division of Drinking Water
State Water Resources Control Board

Attachments:

- A. Bacteriological Distribution and Source Monitoring Reports
- B. Public Notice Template
- C. Proof of Public Notification Template
- D. Completed Positive Total Coliform Investigation

Certified Mail Tracking Number: 7015 1660 0000 0781 8985